



# House of Representatives

## File No. 840

General Assembly

January Session, 2005

**(Reprint of File No. 431)**

House Bill No. 6008  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
June 4, 2005

**AN ACT CONCERNING EXPOSURE TO DEPLETED URANIUM AND  
OTHER HAZARDOUS MATERIALS BY MEMBERS AND VETERANS  
OF THE CONNECTICUT NATIONAL GUARD.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

2 (1) "Eligible member" means a member of the Connecticut National  
3 Guard who served in the Persian Gulf War, as defined in 38 USC 101,  
4 or in an area designated as a combat zone by the President of the  
5 United States during Operation Enduring Freedom or Operation Iraqi  
6 Freedom;

7 (2) "Veteran" means a veteran, as defined in subsection (a) of section  
8 27-103 of the general statutes, who served as an eligible member;

9 (3) "Military physician" includes a physician who is under contract  
10 with the United States Department of Defense to provide physician  
11 services to members of the armed forces;

12 (4) "Depleted uranium" means uranium containing less uranium-235

13 than the naturally occurring distribution of uranium isotopes.

14 (b) On and after October 1, 2005, the Adjutant General shall assist  
15 any eligible member or veteran who (1) has been assigned a risk level  
16 I, II or III for depleted uranium exposure by his or her branch of  
17 service, (2) is referred by a military physician, or (3) has reason to  
18 believe that he or she was exposed to depleted uranium during such  
19 service, in obtaining federal treatment services, including a best  
20 practice health screening test for exposure to depleted uranium using a  
21 bioassay procedure involving sensitive methods capable of detecting  
22 depleted uranium at low levels and the use of equipment with the  
23 capacity to discriminate between different radioisotopes in naturally  
24 occurring levels of uranium and the characteristic ratio and marker for  
25 depleted uranium. No state funds shall be used to pay for such tests or  
26 such other federal treatment services.

27 (c) On or before October 1, 2005, the Adjutant General shall submit a  
28 report to the select committee of the General Assembly having  
29 cognizance of matters relating to military and veterans' affairs, in  
30 accordance with the provisions of section 11-4a of the general statutes,  
31 on the scope and adequacy of training received by members of the  
32 Connecticut National Guard on detecting whether their service as  
33 eligible members is likely to entail, or to have entailed, exposure to  
34 depleted uranium. The report shall include an assessment of the  
35 feasibility and cost of adding predeployment training concerning  
36 potential exposure to depleted uranium and other toxic chemical  
37 substances and the precautions recommended under combat and  
38 noncombat conditions while in a combat zone.

39 Sec. 2. (*Effective from passage*) (a) There is established a task force to  
40 study the health effects of the exposure to hazardous materials,  
41 including, but not limited to, depleted uranium, as they relate to  
42 military service. The task force shall: (1) Initiate a health registry for  
43 veterans and military personnel returning from Afghanistan, Iraq or  
44 other countries in which depleted uranium or other hazardous  
45 materials may be found; (2) develop a plan for outreach to and follow-

46 up of military personnel; (3) prepare a report for service members  
47 concerning potential exposure to depleted uranium and other toxic  
48 chemical substances and the precautions recommended under combat  
49 and noncombat conditions while in a combat zone; and (4) make any  
50 other recommendations the task force considers appropriate.

51 (b) The task force shall consist of the following members:

52 (1) The Adjutant General or a designee;

53 (2) The Commissioner of Veterans' Affairs or a designee;

54 (3) The Commissioner of Public Health or a designee;

55 (4) Six members who are members of the General Assembly,  
56 appointed, one each, by the president pro tempore of the Senate, the  
57 speaker of the House of Representatives and the majority and minority  
58 leaders of the Senate and the House of Representatives;

59 (5) Two members who are veterans with knowledge of or  
60 experience with exposure to hazardous materials, appointed, one each,  
61 by the president pro tempore of the Senate and the speaker of the  
62 House of Representatives; and

63 (6) Four members who are physicians or scientists with knowledge  
64 of or experience in the detection or health effects of exposure to  
65 depleted uranium or other hazardous materials, appointed, one each,  
66 by the majority and minority leaders of the Senate and the House of  
67 Representatives.

68 (c) All appointments to the task force shall be made no later than  
69 thirty days after the effective date of this section. Any vacancy shall be  
70 filled by the appointing authority.

71 (d) The members of the task force shall select as chairpersons of the  
72 task force one senator and one representative from among the  
73 members appointed under subdivision (4) of subsection (b) of this  
74 section. The chairpersons shall schedule the first meeting of the task

75 force, which shall be held no later than sixty days after the effective  
76 date of this section.

77 (e) The administrative staff of the select committee of the General  
78 Assembly having cognizance of matters relating to military and  
79 veterans' affairs shall serve as administrative staff of the task force.

80 (f) Not later than January 31, 2006, the task force shall submit a  
81 report on its findings and recommendations to the select committee of  
82 the General Assembly having cognizance of matters relating to  
83 military and veterans' affairs, in accordance with the provisions of  
84 section 11-4a of the general statutes. The task force shall terminate on  
85 the date that it submits such report or January 31, 2006, whichever is  
86 earlier.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Legislative Mgmt.	GF - Cost	Potential Minimal	None
Department of Veterans' Affairs; Public Health, Dept.; Military Dept.	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The bill allows Connecticut National Guard service members, who have been (1) assigned a risk level I, II or III for depleted uranium exposure, (2) been referred by a military physician, or (3) have reason to believe they have been exposed to depleted uranium, a best-practice health screening for uranium poisoning. Eligible recipients of the best-practices screening must be Connecticut National Guard service members who have returned from a combat zone in the Persian Gulf War, Operation Enduring Freedom, and Operation Iraqi Freedom. The bill states that no state funds shall be used to pay for the depleted uranium screening or any other federal treatment services. The bill also requires that the Adjutant General submit a report to the General Assembly on or before October 1, 2005 discussing predeployment training of exposure to hazardous materials, including depleted uranium. These provisions have no fiscal impact on the state.

Further, the bill establishes a task force to study the health effects of the exposure to hazardous materials, including, but not limited to depleted uranium, as they relate to military service. The task force shall: 1) initiate a health registry for veterans and military personnel returning from Afghanistan or Iraq; 2) develop a plan for outreach and

follow-up of military personnel; 3) prepare a report concerning potential exposure to depleted uranium and other toxic substances; and 4) make any other recommendations.

The task force shall report not later than January 31, 2006 to the Select Committee on Veterans' Affairs. The task force members shall consist of the Adjutant General (or designee); the commissioner (or a designee) of the Departments of Veterans' Affairs and Public Health; at least six members of the General Assembly; and various other appointed members. The administrative staff of the Veterans' Affairs Committee shall serve as administrative staff to the task force.

There is no fiscal impact anticipated to result from participation of the appointed members of the task force, except for the legislative members where a minimal cost to Legislative Management for mileage reimbursement will result (currently 40.5 cents a mile). The staff of the Veterans' Affairs Committee can serve as administrative staff to the task force with no resulting fiscal impact. Further, it is anticipated that the task force will be able to meet the various requirements without the need for additional resources.

House "A" clarifies language in the original bill and removes the cost associated with the state obligation to pay for uranium health screenings.

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**OLR Bill Analysis**

HB 6008 (as amended by House "A")\*

**AN ACT CONCERNING EXPOSURE TO DEPLETED URANIUM BY MEMBERS OF THE ARMED FORCES****SUMMARY:**

Beginning October 1, 2005, this bill requires the adjutant general of the Connecticut National Guard to (1) help eligible guardsmen and certain veterans get tested for exposure to depleted uranium under certain circumstances and (2) submit a report to the Veterans' Affairs Committee on the scope and adequacy of the training guardsmen receive to detect whether their service is likely to involve, or involved, exposure to depleted uranium. The bill applies to (1) guardsmen who served in the Persian Gulf War or an area designated as a combat zone by the President during Operation Enduring Freedom or Operation Iraqi Freedom and (2) veterans who served as guardsmen in these wars and were honorably discharged from active service in the U.S. Armed Forces.

The bill prohibits the use of state funds to pay for the tests or other federal treatment services.

The bill also establishes a task force to study the health effects of the exposure to hazardous material, including depleted uranium, as it relates to military service.

\*House Amendment "A" eliminates the entitlement to testing in the original bill and instead requires the adjutant general to help eligible service members get tested, prohibits state funds being used to pay for tests, and establishes the task force.

EFFECTIVE DATE: Upon passage

**URANIUM TESTING**

Beginning October 1, 2005, this bill requires the adjutant general to help eligible guardsmen and veterans get federal treatment services, including a best practice health screening test for exposure to depleted uranium, if they (1) are assigned a risk level I, II, or III for depleted uranium exposure by their branch of service; (2) are referred by a military physician; or (3) have reason to believe that they were exposed to depleted uranium during service. The uranium test must use (1) a bioassay procedure involving methods sensitive enough to detect depleted uranium at low levels and (2) equipment capable of discriminating between different radioisotopes in naturally occurring levels of uranium and the characteristic ratio and marker for depleted uranium. The bill defines "depleted uranium" as uranium containing less uranium-235 than the naturally occurring distribution of uranium isotopes. A "military physician" includes a physician under contract to the U.S. Department of Defense to provide physician services to members of the armed forces.

By October 1, 2005, the bill requires the adjutant general to submit a report to the Veterans' Committee on the scope and adequacy of the training guardsmen receive to detect whether their service in the specified wars and zones is likely to involve, or to have involved, exposure to depleted uranium. The report must include an assessment of the feasibility and cost of adding predeployment training on potential exposure to depleted uranium and other toxic chemical substances, and the precautions recommended under combat and noncombat conditions in a combat zone.

### **TASK FORCE**

The bill establishes a task force to study the health effects of the exposure to hazardous material, including depleted uranium, as it relates to military service. The task force must (1) initiate a health registry for veterans and military personnel returning from Afghanistan, Iraq, or other countries in which depleted uranium or other hazardous material may be found; (2) develop a plan for outreach to, and follow-up, of military personnel; (3) prepare a report for service members about potential exposure to depleted uranium and other toxic substances and precautions recommended in combat zones; and (4) make any other recommendations. The task force must report by January 31, 2006 to the Veterans' Affairs Committee. It dissolves after it files this report.



The task force consists of:

1. the adjutant general or a designee;
2. the veterans' affairs commissioner or a designee;
3. the public health commissioner or a designee;
4. six legislators, one each appointed by the Senate president pro tem, House speaker and the House and Senate majority and minority leaders;
5. two veterans who have experience or knowledge of hazardous material, one each appointed by the Senate president pro tem and the House speaker;
6. four doctors or scientists who know of or have experience in detecting health effects of exposure to depleted uranium or other hazardous material, appointed one each by the House and Senate majority and minority leaders.

Appointments must be made within 30 days after the bill takes effect. Appointing authorities are responsible for filling vacancies. The members must select one senator and one representative to be chairpersons. The chairpersons must schedule the first meeting no later than 60 days after the bill takes effect. The administrative staff of the Veterans' Affairs Committee serve as administrative staff of the task force.

## **BACKGROUND**

### ***Related Bill***

sSB 1245, which the Senate passed on May 18, establishes the same task force as this bill.

### ***Legislative History***

The House referred the bill to the Legislative Management and Appropriations committees on April 26 and May 3, respectively. They reported the bill favorably without change.

**COMMITTEE ACTION**

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 13      Nay 0

Public Health Committee

Joint Favorable Report

Yea 26      Nay 0

Joint Committee on Legislative Management

Joint Favorable Report

Yea 21      Nay 5

Appropriations Committee

Joint Favorable Report

Yea 41      Nay 2